

Draft Environmental Assessment

LEWIS & CLARK CAVERNS STATE PARK ACQUISITION – Bushilla Tract –



Overlooking the Jefferson River from the south end of the Bushilla tract. Photo by Sue Dalbey 9/03/03

October 2003



***Montana Fish,
Wildlife & Parks***

**Draft Environmental Assessment
Lewis & Clark Caverns State Park Acquisition
- Bushilla Tract -**

MEPA, NEPA, MCA 23-1-110 CHECKLIST

PART I. PROPOSED ACTION DESCRIPTION

1. **Type of proposed state action:** Acquire 8.66 acres of land by fee title adjacent to the southwest border of Lewis and Clark Caverns State Park using \$8,244 of State Parks Earned Revenue.

2. **Agency authority for the proposed action:**
Montana Fish, Wildlife & Parks (FWP) undertakes this action by authority of MCA 23-1-102, defining FWP powers and duties regarding the acquisition of lands by fee or donation as state historical sites and recreation areas.

FWP is authorized by Section 87-1-209 to acquire lands by purchase for certain purposes, including state parks and outdoor recreation. The FWP Commission granted preliminary approval on the conceptual proposed project in August 2003. The proposed project is contingent upon the final consent of the Commission.

Section 23-1-110 MCA, or House Bill 495, and the guidelines established in 12.8.604 (ARM) (1) relate to changes in state park and fishing access site features or use patterns. The proposed acquisition will not change site features nor historical use; therefore, Section 23-1-110 MCA is not initiated by the proposed fishing access site acquisition. See Attachment A.

3. **Name of project:** Lewis & Clark Caverns State Park Acquisition – Bushilla Tract

4. **Name, address, and phone number of project sponsor (if other than the agency):**
Montana Fish, Wildlife, & Parks is the project sponsor.

5. **Estimated Completion Date:** December 2003

6. **Location affected by proposed action (county, range, and township):**
The Bushilla Tract is about three miles southeast of Cardwell, Montana and is adjacent to the southwestern edge of Lewis and Clark Caverns State Park boundary in Township 1 North, Range 3 West, Section 13, Government Lot 9, Jefferson County. The tract is 8.66 acres in size and approximately 500' wide at the widest point, and 1,300' wide in length; elevation is 4200 feet. Physical (road) access is questionable due to the topography and may be contingent upon neighboring landowners. Pedestrians can access the tract from the north through Bureau of Land Management (BLM) land. Please refer to map on next page.

Legend:

- Lewis & Clark Caverns State Park
- Bureau of Land Management lands

(Note: all boundaries are approximations only)

Map Labels:

- to Cardwell
- Le Hood Park
- Jefferson River
- State Hwy
- MURKIN CO
- BURKINGTON
- to Three Forks
- LEWIS AND CLARK CAVERN STATE PARK
- Bushilla Tract 8.66 acres
- Park Entrance

Map Features:

- Topographic contour lines showing elevation.
- Black outline representing the Lewis & Clark Caverns State Park boundary.
- Gray shaded area representing Bureau of Land Management lands.
- Red arrow pointing to the Bushilla Tract (8.66 acres).
- North arrow pointing upwards.

Base map and state park boundaries provided by FWP Lands Division.

7. Project size -- estimate the number of acres that would be directly affected that are currently:

	<u>Acres</u>		<u>Acres</u>
(a) Developed:		(d) Floodplain	<u>0</u>
Residential	<u>0</u>		
Industrial	<u>0</u>	(e) Productive:	
		Irrigated cropland	<u>0</u>
(b) Open Space/Woodlands/Recreation	<u>0</u>	Dry cropland	<u>0</u>
		Forestry	<u>0</u>
(c) Wetlands/Riparian Areas	<u>0</u>	Rangeland	<u>8.66</u>
		Other	<u>0</u>

8. Listing of any other Local, State, or Federal agency that has overlapping or additional jurisdiction.

(a) **Permits:** No permits are necessary for this project.

(b) **Funding:**

<u>Agency Name</u>	<u>Funding Amount</u>
FWP – State Parks Earned Revenue	\$8,244

(c) **Other Overlapping or Additional Jurisdictional Responsibilities:**

<u>Agency Name</u>	<u>Type of Responsibility</u>
FWP Commission	action approval

9. Narrative summary of the proposed action or project including the benefits and purpose of the proposed action:

The proposed action is to purchase 8.66 acres west of and adjacent to Lewis and Clark Caverns State Park. The tract is being offered for sale by Shadan Bushilla, whose grandfather was instrumental in getting the Civilian Conservation Corps to work in the park in the 1930's. The owner would like the tract to transfer to the Park as public land due to his family's association with the park and as a family memorial.

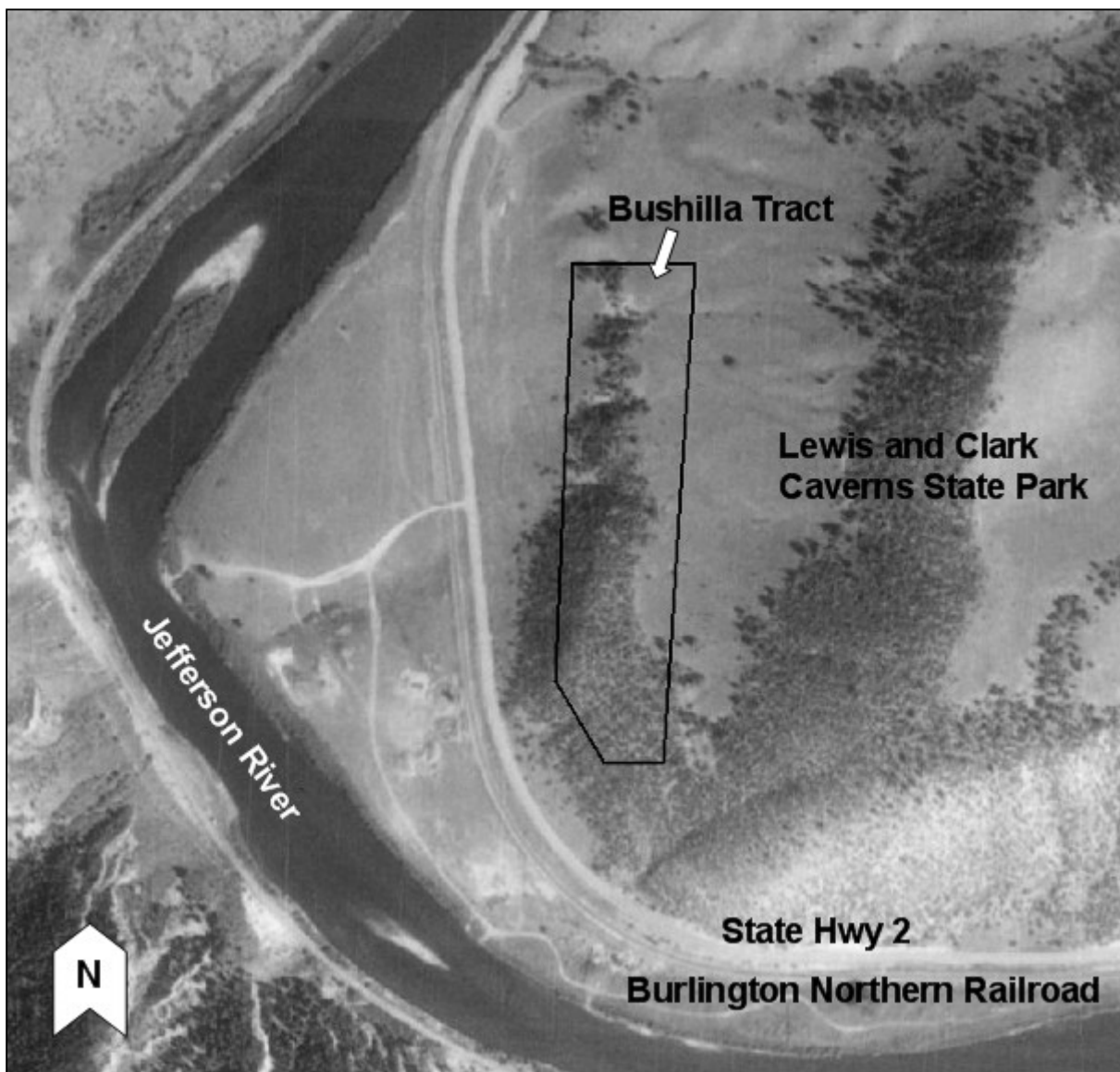
FWP wishes to purchase the Bushilla tract by fee title, thereby adding it to Lewis and Clark Caverns State Park as public land. The price of \$8,244 was negotiated based on comparable adjacent sales and would come from the State Parks Earned Revenue Account.

Acquiring the Bushilla tract would protect this tract from incompatible commercial activity or development. Purchase of the tract would eliminate the possibility that the property could be developed in a manner that would jeopardize natural, scenic, or recreational values inherent in the park. Incorporating this tract into the park would enhance the park values and allow future use of this land for public recreation, hunting, wildlife habitat and watching, hiking, and

maintaining the aesthetics of the adjacent state park. No improvements are planned at this time; however, this tract could provide a location for a trailhead to link to trails throughout the park. Any future improvements would be subject to a separate environmental review and public input.

This tract includes a bench overlooking the Jefferson River. Private tracts below (west) have recently sold. The tract appraisal, completed July 1, 2003, indicated that the highest and best use of this land was as single-family residential development.

This tract is on the edge of a bench area that includes a gently sloping, higher level covered in blue bunch wheat grass interspersed with juniper, limber pine, and prickly pear cactus. The southern end is densely covered with mountain mahogany. The western edge of the tract is quite steep and includes several “finger” ridges with associated coulees.



Base photo and tract outline provided by FWP Lands Division.

The land has not been used for grazing or agricultural purposes in the last 50 years. Occasionally, pedestrians will cross the property from the BLM land to the north, accessing park land for hunting or hiking. The tract provides good habitat and grazing for elk and mule deer. Evidence of use by deer is prevalent among the mountain mahogany. A variety of other wildlife are common in the area and may use the tract, including black bear, coyote, mountain lion, skunk, red fox, badger, raccoon, and many bird species, including Merriam's turkey.



Photo taken near northern Bushilla tract boundary looking south at upper bench.
Photo by Sue Dalbey 9/03/03.



Photo taken near southern Bushilla tract boundary looking north at upper bench.
Photo by Sue Dalbey 9/03/03.



Photo taken from Highway 2 looking southeast showing private land in foreground and general vicinity of Bushilla tract along bench (outline shown is for reference only and does not represent the accurate boundaries).
Photo by Sue Dalbey 9/03/03.

PART II. ENVIRONMENTAL REVIEW

- 1. Description and analysis of reasonable alternatives (including the no action alternative) to the proposed action whenever alternatives are reasonably available and prudent to consider and a discussion of how the alternatives would be implemented:**

Alternative A: No Action

If FWP does not acquire fee title of the Bushilla tract, a wide range of outcomes could occur. The land could remain idle as it has for many years; however, it is also possible that the tract would be sold on the private market. The appraisal completed in July 2003 identified the highest and best use as residential development, but commercial development also could occur. Though the tract does not have legal access from Highway 2, the tract could be sold to a neighboring landowner, who would have access via the highway; or, access could be requested through the BLM tract to the north.

Private development and associated activities have the potential to negatively alter the scenic, natural, and recreational values on this land and the adjacent Lewis and Clark Caverns State Park.

Under the No Action alternative, the tract would remain on the public tax rolls and continue to provide a small amount of property tax income to Jefferson County.

Preferred Alternative B: Proposed Action to purchase Bushilla Tract (8.66 acres) using State Parks Earned Revenue.

Under this alternative, FWP would purchase the 8.66-acre tract at the negotiated price of \$8,244 using State Parks Earned Revenue.

Incorporating the tract into Lewis and Clark Caverns State Park would afford protection of the scenic, natural, and recreational values of this land. It would prevent incompatible development and activities on lands adjacent to Montana's first and most recognized state park. The increased land base of the park would enhance the recreational opportunities available to the public and protect the wildlife habitat of the area.

A minor impact to the human environment would result from FWP's acquiring the tract, specifically that the 8.66 acres would no longer be assessed taxes when considered state park land. In addition, this alternative would preclude private or commercial development on this tract in the future.

Note: a detailed evaluation of the Proposed Action is included in Part VI, Environmental Review Checklist, beginning on page 10.

Alternative C: Purchase tract using alternative funding

Alternative C would result in purchase of the Bushilla Tract as in Alternative B; however, FWP would not entirely use State Parks Earned Revenue to fund the \$8,244. The substitute funding source could include a match of Land and Water Conservation federal aid funds, landowner donation, or private cash.

Environmental and human impacts of this alternative would be similar to those resulting from Alternative B; however, this alternative would be much more labor-intensive for FWP staff to complete necessary documentation or to raise funds from private sources. It is likely that to acquire other suggested funds would extend the project by at least one year.

This alternative is not highly feasible in this situation. The landowner is eager to sell and close by the end of 2003. Other funding sources are not readily available within short notice.

2. Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency:

Weed control would be managed by the park under the FWP Region Three Weed Management Plan and qualified applicators.

If cultural sites are present on the tracts, they will be afforded greater protection under the State Antiquities Act if the tract is owned by the State of Montana.

PART III. NARRATIVE EVALUATION AND COMMENT

The only negative impact identified in this review regarded the potential spread and control of noxious weeds on the tract. The anticipated foot traffic on this tract will pose a minimal risk of spreading weeds, but as a responsible steward of the land, the State Parks Division will control weeds using appropriate methods. Other impacts identified were positive to the physical and human environment, affording the resources greater protection in many cases than when under private ownership.

Residential or commercial development on the Bushilla tract would greatly jeopardize the scenic, natural, and recreational values of this land and the adjacent state park. FWP ownership helps ensure protection of scenic viewsheds seen from the highway and Jefferson River. Wildlife habitat is protected. Public access is enhanced for many recreational opportunities, including hiking, hunting, and wildlife watching.

PART IV. PUBLIC PARTICIPATION

- 1. Describe the level of public involvement for this project, if any, and, given the complexity and the seriousness of the environmental issues associated with the proposed action, is the level of public involvement appropriate under the circumstances?**

The public will be notified in the following manners to comment on the Draft EA, the proposed action, and alternatives:

- One legal notice in each of these papers: *Whitehall Ledger*, *Three Forks Herald*, *Butte Standard*, *Bozeman Daily Chronicle*, *Helena Independent Record*;
- One statewide press release;
- Public Notice on the Fish, Wildlife & Parks web page: <http://fwp.state.mt.us>.

Neighboring landowners and interested parties will be contacted to ensure their knowledge of the proposed project.

The opportunities for public input listed above are adequate for the proposed action, since few, minor negative impacts are identified.

- 2. Duration of comment period, if any.**

The public comment period will extend for twenty (20) days following the publication of the legal notice in area newspapers. Written comments will be accepted until 5:00 p.m., 14 November 2003, and can be mailed to the address below:

Lewis & Clark Caverns
Bushilla Tract Acquisition
PO Box 949
Three Forks, MT 59725

Or email comments to lflath@in-tch.com.

PART V. EA PREPARATION

- 1. Based on the significance criteria evaluated in this EA, is an EIS required? NO
If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action.**

This environmental review of the proposed action revealed no significant negative impacts to the physical or human environment; therefore, an EIS is not necessary and an environmental assessment is the appropriate level of analysis.

- 2. Name, title, address, and phone number of the person(s) responsible for preparing the EA:**

Sue Dalbey
Independent Contractor
Dalbey Resources
926 N. Lamborn St.
Helena, MT 59601
406-443-8058

Lee Flath
Lewis & Clark Caverns State Park Manager
FWP
PO Box 949
Three Forks, MT 59725
406-287-3541

- 3. List of agencies consulted during preparation of the EA:**

Montana Fish, Wildlife & Parks: Parks Division, Wildlife Division, Lands Division

PART VI. ENVIRONMENTAL REVIEW CHECKLIST

3. Evaluation of the impacts of the Proposed Action including secondary and cumulative impacts on the Physical and Human Environment.

A. PHYSICAL ENVIRONMENT

1. <u>LAND RESOURCES</u> Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. **Soil instability or changes in geologic substructure?		X				1a.
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil, which would reduce productivity or fertility?		X				
c. **Destruction, covering, or modification of any unique geologic or physical features?			X positive			1c.
d. Changes in siltation, deposition, or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?		X				
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				
f. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (attach additional pages of narrative if needed):

1a. Acquisition of the Bushilla Tract would not alter soil stability or geologic substructure. No development is planned for this tract if acquired by FWP. Additional pedestrian traffic will not alter these resources.

1c. Existing physical features would be protected if FWP were to acquire the tract.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

2. <u>AIR</u> Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. **Emission of air pollutants or deterioration of ambient air quality? (Also see 13c.)		X				2a.
b. Creation of objectionable odors?		X				
c. Alteration of air movement, moisture, or temperature patterns, or any change in climate, either locally or regionally?		X				
d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?		X				
e. ***For P-R/D-J projects, will the project result in any discharge that will conflict with federal or state air quality regs? (Also see 2a.)		n/a				
f. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Air Resources (attach additional pages of narrative if needed):

2a. Acquisition of the tract for use by recreating pedestrians will not alter the air quality.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

3. WATER Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated*	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. *Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen, or turbidity?		X				3a.
b. Changes in drainage patterns or the rate and amount of surface runoff?		X				
c. Alteration of the course or magnitude of floodwater or other flows?		X				
d. Changes in the amount of surface water in any water body or creation of a new water body?		X				
e. Exposure of people or property to water-related hazards such as flooding?		X				
f. Changes in the quality of groundwater?		X				
g. Changes in the quantity of groundwater?		X				
h. Increase in risk of contamination of surface or groundwater?		X				
i. Effects on any existing water right or reservation?		X				
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		X				
l. ****For P-R/D-J, will the project affect a designated floodplain? (Also see 3c.)		n/a				
m. ***For P-R/D-J, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a.)		n/a				
n. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Water Resources (attach additional pages of narrative if needed):

3a. There are no streams or perennial surface water sources on the Bushilla tract, except for minor coulees resulting from precipitation runoff. Acquisition by FWP and resulting increase in recreational pedestrian use will not alter surface or groundwater resources associated with this tract.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

4. VEGETATION Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Changes in the diversity, productivity, or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?		X				
b. Alteration of a plant community?		X				
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				
d. Reduction in acreage or productivity of any agricultural land?		X				4c.
e. Establishment or spread of noxious weeds?			X		yes	4d.
f. ****For P-R/D-J, will the project affect wetlands or prime and unique farmland?		n/a				
g. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Vegetation (attach additional pages of narrative if needed):

4c. This land has limited grazing potential, but it has been idle for approximately 50 years. It will not be used for agricultural purposes under FWP ownership; hence, productivity of this agricultural land will not change.

4d. Increased visitation and the proximity to the highway could potentially spread weeds on the tract; however, the tract will be included in the FWP Region Three Weed Management Plan and the Lewis and Clark Caverns State Park weed management activities. Noxious weeds were not found during an informal pedestrian site tour by Park Manager Lee Flath, Sue Dalbey, and FWP lands division staff in September.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

** 5. <u>FISH/WILDLIFE</u> Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Deterioration of critical fish or wildlife habitat?		X				
b. Changes in the diversity or abundance of game animals or bird species?		X				
c. Changes in the diversity or abundance of nongame species?		X				
d. Introduction of new species into an area?		X				
e. Creation of a barrier to the migration or movement of animals?		X				
f. Adverse effects on any unique, rare, threatened, or endangered species?		X				
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest, or other human activity)?		X				
h. ****For P-R/D-J, will the project be performed in any area in which T&E species are present, and will the project affect any T&E species or their habitat? (Also see 5f.)		n/a				
i. ***For P-R/D-J, will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d.)		n/a				
j. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Fish and Wildlife (attach additional pages of narrative if needed):

Wildlife uses this tract in combination with adjacent State Park land and BLM lands and the nearby Jefferson River. Elk and mule deer are common to the area. Black bear, coyote, mountain lion, skunk, red fox, badger, and raccoon have been seen in the park, according to Park Manager Lee Flath, and would be presumed to use this adjacent tract as well.

Many bird species inhabit the area, such as golden eagle, bald eagle, turkey vulture, osprey, prairie falcon, peregrine falcon, Swainson's hawk, red-tailed hawk, Clark's nutcracker, Bullock's oriole, and Merriam's turkey.

The purpose of the proposed acquisition is to preserve this tract to enable continued use by wildlife, as well as humans. The anticipated low level of pedestrians to this unsigned area is not expected to have an impact on wildlife populations.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

B. HUMAN ENVIRONMENT

6. <u>NOISE/ELECTRICAL EFFECTS</u> Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Increases in existing noise levels?		X				
b. Exposure of people to severe or nuisance noise levels?		X				
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		X				
d. Interference with radio or television reception and operation?		X				
e. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Noise/Electrical Effects (attach additional pages of narrative if needed):

7. <u>LAND USE</u> Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?		X				
b. Conflicts with a designated natural area or area of unusual scientific or educational importance?			X positive			7b.
c. Conflicts with any existing land use that would constrain or potentially prohibit the proposed action?		X				
d. Adverse effects on or relocation of residences?		X				
e. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Use (attach additional pages of narrative if needed):

7b. Acquiring this tract will add to the natural area of Lewis and Clark Caverns State Park.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

8. <u>RISK/HEALTH HAZARDS</u>	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
Will the proposed action result in:						
a. Risk of an explosion or release of hazardous substances (including, but not limited to, oil, pesticides, chemicals, or radiation) in the event of an accident or other form of disruption?			X		yes	8a.
b. Any effect on existing emergency response or emergency evacuation plan, or the need for a new plan?		X				
c. Creation of any human health hazard or potential hazard?		X				
d. ***For P-R/D-J, will any chemical toxicants be used? (Also see 8a.)		n/a				
e. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Risk/Health Hazards (attach additional pages of narrative if needed):

8a. If necessary, weed control may be completed using herbicides. These chemicals would be applied only by trained and qualified applicators following manufacturers' directions and complying with the FWP Region Three Weed Management Plan.

9. <u>COMMUNITY IMPACT</u>	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
Will the proposed action result in:						
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?		X				
b. Alteration of the social structure of a community?		X				
c. Alteration of the level or distribution of employment, or community or personal income?		X				
d. Changes in industrial or commercial activity?		X				
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?		X				
f. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Community Impact (attach additional pages of narrative if needed):

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

10. <u>PUBLIC SERVICES/TAXES/UTILITIES</u> Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. An effect upon or a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify.			X		yes	10a.
b. An effect upon the local or state tax base and revenues?			X			10b.
c. A need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		X				
d. Will the proposed action result in increased use of any energy source?		X				
e. **Define projected revenue sources.						10e.
f. **Define projected maintenance costs.						10f.
g. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Public Services/Taxes/Utilities (attach additional pages of narrative if needed):

10a. Adding 8.66 acres to the State Park land base will slightly increase the need for management. This will be very minimal since the tract does not have direct access from Highway 2, nor is weed control necessary at this time.

10b. The appraisal conducted in July 2003 indicated that taxes for this 8.66-acre tract amounted to \$63.82 in 2002. If FWP acquires the tract and adds it to the Lewis and Clark Caverns State Park, this land will be exempt from taxes under MCA 87-1-603. Jefferson County would see a slight reduction in tax revenue if the proposed acquisition were completed. FWP will continue to pay \$800 annually to the Jefferson County Treasurer for fire protection at Lewis and Clark Caverns State Park. These funds are split between Jefferson Rural Fire District and the Willow Creek Rural Fire District.

10e. Visitors to Lewis and Clark Caverns State Park are currently required to pay a \$5.00 per vehicle entrance fee for use of the park. After acquisition, visitors to this tract also would be required to pay that fee. Beginning January 1, 2004, however, Montana residents will not be required to pay fees to enter any state park due to new law instated by the 2003 Legislature. This tract is not expected to increase revenue to the park.

10f. Maintenance costs associated with this tract are expected to be very minimal and would be funded by the existing Lewis and Clark Caverns State Park operations and maintenance budget. As discussed earlier, there are no improvements to the land to be maintained, and weed control is not currently needed. This tract can be viewed from the highway and can be easily added to existing park staff rounds checking on adjacent Park lands for litter and general site integrity.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

** 11. <u>AESTHETICS/RECREATION</u> Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?		X				
b. Alteration of the aesthetic character of a community or neighborhood?		X				
c. **Alteration of the quality or quantity of recreation/tourism opportunities and settings? (Attach Tourism Report.)			X positive			11c.
d. ***For P-R/D-J, will any designated or proposed wild or scenic rivers, trails, or wilderness areas be impacted? (Also see 11a, 11c.)		n/a				
e. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Aesthetics/Recreation (attach additional pages of narrative if needed):

One of the purposes of the proposed acquisition is to preserve the scenic vistas and recreational opportunities on the southwest side of the park. The recent sale of a neighboring piece of land and the appraised highest and best use as residential development indicates that the Bushilla tract may be looked upon favorably for development in the near future. The unique bench qualities of this tract offer scenic views of the Jefferson River and canyon, not to mention home sites.

11c. Adding 8.66 acres to the State Park will add to the quantity of recreational opportunities available to the public. By protecting this land from housing or commercial development, the quality of recreational experience will be preserved.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

12. <u>CULTURAL/HISTORICAL RESOURCES</u> Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. **Destruction or alteration of any site, structure, or object of prehistoric, historic, or paleontological importance?		X				12a.
b. Physical change that would affect unique cultural values?		X				
c. Effects on existing religious or sacred uses of a site or area?		X				
d. ****For P-R/D-J, will the project affect historic or cultural resources? Attach SHPO letter of clearance. (Also see 12.a.)		n/a				
e. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Cultural/Historical Resources (attach additional pages of narrative if needed):

12a. No disruption of the tract is expected; therefore, any cultural sites that may occur on the tract will not be impacted. A cultural survey has not been conducted since sites would be afforded greater protection under state ownership and the State Antiquities Act, than when privately owned.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

SIGNIFICANCE CRITERIA

13. SUMMARY EVALUATION OF SIGNIFICANCE Will the proposed action, considered as a whole,:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources that create a significant effect when considered together or in total.)		X				
b. Involve potential risks or adverse effects that are uncertain but extremely hazardous if they were to occur?		X				
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard, or formal plan?		X				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		X				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?		X				
f. ***For P-R/D-J, is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e.)		n/a				
g. ****For P-R/D-J, list any federal or state permits required.		n/a				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Significance Criteria (attach additional pages of narrative if needed):

- * Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.
- ** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).
- *** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.
- **** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

ATTACHMENT A
23-1-110 MCA Exemption Form
Lewis & Clark Caverns State Park Acquisition - Bushilla Tract

Use this form when a park improvement or development project meets the criteria identified in 12.8.602 (1) ARM, but determined to NOT significantly change park features or use patterns.

State Park or Fishing Access Site Project Description:

Acquire 8.66 acres of land by fee title adjacent to the southwest border of Lewis and Clark Caverns State Park using \$8,244 of State Parks Earned Revenue.

The project does not significantly change park or fishing access site features or use patterns.

Reason for exemption is provided across from the appropriate item below.

12.8.602 (ARM) (1)	Reason for Exemption
(a) Roads/trails	no new roads/trails
(b) Buildings	no new buildings
(c) Excavation	none
(d) Parking	no new parking
(e) Shoreline alterations	none
(f) Construction into water bodies	none
(g) Construction w/impacts on cultural artifacts	none
(h) Underground utilities	no new utilities
(i) Campground expansion	none – day use only

Some activities considered that do not significantly impact site features or use patterns are signing, fencing, barriers, road grading, garbage collection, routine latrine and facility maintenance.

Signature _____ (Susan E. Dalbey) _____ Date 10/01/03